

(A) 1035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Elazar Rabbani et al.

Serial No. 08/978,636

Group Art Unit: 1635

Filed: November 25, 1997

Examiner: Mary M. Schmidt

Title: NON-NATIVE POLYMERASE ENCODING NUCLEIC
ACID CONSTRUCT (As Previously Amended)

TECH. OFFICE 41600/2900

COPY

FILED BY FIRST CLASS MAIL

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231



Sir:

Transmitted herewith is an Amendment Under 37 C.F.R. § 1.115 (In Response
To The February 18, 1999 Office Action) in the above-identified patent application.
The fee* has been calculated as shown below:

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDITIONAL FEE |
|-------|---|-------|--|------------------|----------|-------------------|
| Total | 16 | Minus | 39 | 0= | X\$9.00 | \$ 0 |
| Indep | 2 | Minus | 3 | 0= | X\$39.00 | \$ 0 |
| () | First Presentation of Multiple Dependent Claims | | | | \$130.00 | \$ |
| | TOTAL ADDITIONAL FEE | | | | | \$ 0 |

*Small entity status was previously established in this application and is still applicable.

() Charge Deposit Account No. 05-1135 in the amount of \$ _____

() A check in the amount of \$ _____ is attached.

(X) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1135 any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims and any patent application processing fees under 37 C.F.R. §1.17.

Copies are being provided in triplicate.

Also enclosed: Request For An Extension Of Time (Three Months); Second Amendment In Connection with Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures Under 37 CFR §§1.821-1.825; Communication Directed To Notice To Comply With Sequence Rules; Initial Paper Copy of the Sequence Listing; Computer Readable Form copy of the Sequence Listing; Declaration Under 37 CFR §1.821(g)

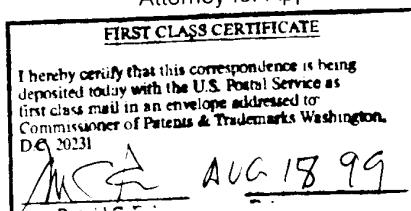
Respectfully submitted,

Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

August 18, 1999

Date

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Fl.)
New York, New York 10022
Tel. (212) 583-0100
Attorney's Docket No.: Enz-53(D3)
lc:Transmittal Amendment ENZ53 D5 081699



IN THE UNIT

STATES PATENT AND TRADEMARK OFFICE

MARK OFFICE

Applicants: Elazar Rabbani et al.
Serial No. 08/978,636
Filed: November 25, 1997
Title: NON-NATIVE POLYMERASE ENCODING
NUCLEIC ACID CONSTRUCT (As
Previously Amended)

Group Art Unit: 1635

Examiner: Mary M. Schmidt

527 Madison Avenue, 9th Floor
New York, New York 10022
August 18, 1999

RECEIVED
AUG 26 1999

#12/12

7-1-99

FILED BY FIRST CLASS MAIL

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231



RECEIVED
AUG 26 1999

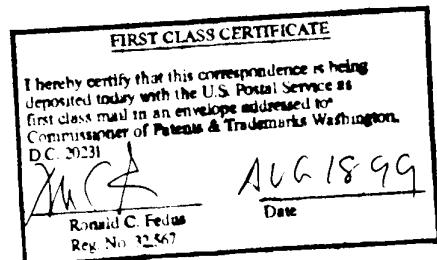
Attention: Box Sequence

COMMUNICATION DIRECTED TO NOTICE
TO COMPLY WITH SEQUENCE RULES

Dear Sirs:

This Communication is directed to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures referenced in the Office Action issued February 18, 1999 which issued in connection with the instant application. While a copy of the Notice was not attached to the Applicants' copy of the aforementioned Office Action, Applicants hereby submit the following documents or items:

1. a substitute paper copy of the Sequence Listing;
2. a Second Amendment directing entry of the Sequence Listing into the specification;
3. a computer readable form (CFR) copy of the substitute Sequence Listing; and



ENZ-53(D3)

Elazar Rabbani et al.
Serial No. 08/978,636
Filed: November 25, 1997
Page 2 (Communication Directed to Notice to Comply With Sequence Rules -
August 18, 1999)

4. a Declaration Under 37 C.F.R. §1.821(g) attesting that the content of the paper copy and computer readable copy are the same and include no new matter.

No fee is believed due in connection with this Communication or the documents or items submitted herewith other than the fee payment authorized in the Request For an Extension Of Time (Three Months Under 37 C.F.R. §1.136(a)). If any other fee or fees are due, however, the Patent and Trademark Office is hereby authorized to charge the amount of any such fee to Deposit Account 05-1135, or to credit any overpayment thereto.

If helpful to processing this Communication, the undersigned may be contacted by telephone at (212) 583-0100 during the daytime hours.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Fl.)
New York, New York 10022
(212) 583-0100

LC/USProsecution/Enz53(D3)/communication re sequence rules08189 enz53(D3)

ENZ-53(D3)